



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,003	07/31/2003	Masayuki Matsuda	62758-046	9543
20277 7590 01/02/2008 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096			EXAMINER TEKLE, DANIEL T	
			ART UNIT 2621	PAPER NUMBER
			MAIL DATE 01/02/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/631,003

Applicant(s)

MATSUDA ET AL.

Examiner

Daniel Tekle

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 6 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, and 6-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Argument

Applicant's arguments filed October 09, 2007 have been fully considered but they are not persuasive.

Applicant argues on page 6 2nd paragraph of the remark, "However, OkadaIt is not disclosed that when an event occurs, such as an end of reproduction (for example, at a2), the terminal memorizes the decoding result of the position (at a2), or the relative time position of the event)".

In response the examiner respectively disagrees. Okdada discloses "the way of identifying the last block to reproduced" in (paragraph 0239), "identifying the start and end playback address stored" (paragraph 0240), and "special playback operation using an I-picture" (paragraph 0247-0248). The cited above shows the event occurrence during reproduction as claimed.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1, 3 and 6-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Okada et al. (US 20020018643).

Regarding Claim 1: Okada et al. disclose a moving picture reproducing terminal comprising: a memory unit which stores a moving picture content in association with a name specifying the moving picture content (**paragraph 69-70**); a decoding unit which reproduces the moving picture content stored in association with the name (**paragraph 69-70**); a display unit which displays decoded moving picture data (**paragraph 69-70**); and a control unit which control the other units; wherein, when a reproduction interruption event or a reproduction end event or a time-stamp storing event has occurred during a reproduction process of the moving picture content (**paragraph 0239 last two line {identifying the last block to reproduce}, paragraph 0240 {identifying the start and end address}, paragraph 0241-0242 {storing and identifying the playback time using PCR map}**), a relative time position of the content at an event occurrence point in time relative to the beginning of the content is stored into the memory unit together with a result of the decoded moving picture data in effect at point in time associated with the name (**paragraph 69-70**); and wherein, when a reproduction of the moving picture content is requested again, the control unit causes the decoding unit to reproduce the moving picture content starting from the relative time position by use of the result of the decoded moving picture data retrieved from the memory unit (**paragraph 0222 and 0247-0248 special playback using I picture**).

Regarding Claim 3: Okada et al. disclose a moving picture reproducing terminal according to claim 1, wherein it is possible to set a specification for the name whether or not to store the relative time position of the content at the event occurrence point in time relative to the beginning of the content together with the result of the decoded moving

picture data in effect at the point in time associated with the name (**paragraph 69-70**); and wherein the specification is stored with the name into the memory so that during the reproduction of the moving picture content is requested again, the relative time position of the content at the point in time relative to the beginning of the content and the result of the decoded moving picture data are stored with the name differently depending on the specification in the storage unit (**paragraph 69-70**).

Regarding Claim 6: Okada et al. disclose a moving picture reproducing terminal according to claim 1, wherein the memory unit stores a plurality of relative time positions of the content at event occurrence points together with a result of the decoded moving picture data in affect at each of the points (**paragraph 0247-0248 special playback using I-frame**).

Regarding Claim 7: Okada et al. disclose a moving picture reproducing terminal according to claim 6, wherein, when a reproduction of the moving picture content is requested again, any one of the plurality of relative time positions is selected so that the control unit causes the decoding unit to reproduce the moving picture content starting from the selected relative time position by use of the result of the decoded moving picture data corresponding to the selected relative position (**paragraph 0234 reading by random access, 0247-0248 special playback using I-frame**).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

Application/Control Number:
10/631,003
Art Unit: 2621

Page 5

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel Tekle whose telephone number is 571-270-1117. The examiner can normally be reached on 7:30am to 5:00pm M-R and 7:30-4:00 Every other F..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Marsha D Banks-Harold
MARSHA D. BANKS-HAROLD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Daniel Tekle